

**REMARKS**

Upon entry of this Amendment, claims 1-6 and 8-37 will be all the claims pending in the application. Claims 1-5 and 32-37 are withdrawn from consideration. Rejoinder of claims 32-37, which depend directly or indirectly on elected claim 30, is respectfully requested, as discussed in greater detail below.

Claim 6 has been amended so that it is in independent form and to incorporate the recitations of claim 7, which has been canceled. Claims 8-11, 20, 23-24 and 30-31 have been amended to make editorial changes and correct inadvertent errors without changing the claim scope. Withdrawn claim 35 has been amended to correct a misspelling and thereby facilitate rejoinder.

Entry of the above amendments is respectfully requested.

**Request for Rejoinder of Claims 32-37**

On page 2 of the Office Action, the Examiner acknowledges the election without traverse of claims 6-31.

Applicants respectfully request rejoinder of claims 32-37 after elected claim 30, the claim upon which claims 32-37 directly or indirectly depend, is found to be allowable. In this regard, Applicants note that since claims 32-27 depend directly or indirectly from claim 30, they include all the requirements of claim 30, and if the Examiner determines that an embodiment having all the requirements of claim 30 is allowable, then claims 32-37 should be allowable.

**Antecedent Basis Issue**

On page 2 of the Office Action, the Examiner notes that claim 10 and claims 11-31 through their dependencies recite the limitation "said fresh low concentration polymer solution" in lines 13-14, and that there is insufficient antecedent basis for this limitation in the claim.

In response, Applicants have amended claim 10 to delete "said" from the recitation of fresh low concentration polymer solution. Accordingly, Applicants submit that this issue has been resolved.

**Rejection under 35 U.S.C. 112, Second Paragraph**

On page 2 of the Office Action, claims 29-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

**The Examiner's Position**

The Examiner indicates that he is not familiar with the species "cellulose acylate" recited in claims 29 and 30.

Also, the Examiner indicates that claim 31 is not understood.

**Applicants' Response**

In response, Applicants submit that cellulose acylate is a genus including compounds like cellulose acetate and cellulose triacetate (see, e.g., page 9, lines 13-18 in the present application). Further, Applicants submit that cellulose acylate is acylated cellulose, i.e., cellulose which has undergone acylation. As can be seen from the attached pages from Grant & Hackh's Chemical

Dictionary, 5<sup>th</sup> edition, acylation is the same as acidylation, which is the process of introducing an acid radical into an organic compound.

With respect to claim 31, Applicants submit that the subject matter recited therein is explained from page 10, line 3 to page 11, line 1. In this regard, Applicants note that the 2<sup>nd</sup>, 3<sup>rd</sup>, and 6<sup>th</sup> hydroxide groups refer to the hydroxide groups at the 2<sup>nd</sup>, 3<sup>rd</sup>, and 6<sup>th</sup> positions in glucose, which is what is polymerized to make cellulose, and the equations recited in claim 31 refer to, in the case of A, how much of the 6<sup>th</sup> position is acylated (1.0 meaning that all of the hydroxide groups at the 6<sup>th</sup> position are acylated, and 0.7 meaning that 70% of the hydroxide groups at the 6<sup>th</sup> position are acylated), and, in the case of A+B, how much of the 2<sup>nd</sup>, 3<sup>rd</sup>, and 6<sup>th</sup> positions are acylated (3.0 meaning that all of the hydroxide groups at the 2<sup>nd</sup>, 3<sup>rd</sup>, and 6<sup>th</sup> positions are acylated, and 2.5 meaning that 2.5/3.0 (i.e., 83%) of the hydroxide groups at the 2<sup>nd</sup>, 3<sup>rd</sup>, and 6<sup>th</sup> positions are acylated).

Thus, Applicants submit that claims 29-31 satisfy the requirements of 35 U.S.C. 112, second paragraph, and withdrawal of this rejection is respectfully requested.

### **Anticipation Rejection**

On page 2 of the Office Action, claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Irvin.

In response, and to expedite allowance, Applicants have amended claim 6 to incorporate the recitations of claim 7, which has not been included in this rejection. Accordingly, Applicants

submit that this rejection has been overcome, and withdrawal of this rejection is respectfully requested.

### **Objection to Claims 7-9**

On page 3 of the Office Action, the Examiner has objected to claims 7-9 as being dependent upon a rejected base claim, but has indicated that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for indicating that claims 7-9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the Examiner's indication, Applicants have amended claim 6 so that it basically corresponds to claim 7 rewritten in independent form, and thus Applicants submit that claim 6 and the claims dependent thereon should be allowable.

Accordingly, Applicants submit that this objection has been overcome, and withdrawal of this objection is respectfully requested.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. 1.111  
U.S. Application No. 10/634,846

Attorney Docket No. Q76702

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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